UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/757,221	01/13/2004	Scott P. Kaplan	P02799	3786

28548 7590 05/11/2010

Stoneman Volk Patent Group
P.O. Box 40070
PHOENIX, AZ 85067-0070

EXAMINER	
BROOKS, MATTHEW L	
ART UNIT	PAPER NUMBER
3629	
MAIL DATE	DELIVERY MODE
05/11/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 10/757,221
Filing Date: January 13, 2004
Appellant(s): KAPLAN ET AL.

Volk Jr.
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 02/23/2010 appealing from the Office action mailed 10/05/2009.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings, which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

No amendment after final has been filed.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

US 7069333 B1	Morris; Roy et al.	06-2006
US 20040068414 A1	Springer, Jeffrey	04-2004

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 1-17 and 19-28 and 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 7,069,333 B1 (Morris) in view of US 2004/0068414 (Springer).

4. With respect to **claim 1**: Morris teaches

An Internet-website-client-server-assisted system, relating to providing on-location electronics troubleshooting services, comprising the steps of (Morris, C5, 25-30; AND Fig 9 “internet”; and C12, 29):

a. registering customer information relating to at least one customer (Morris, C6, 57-65; AND Fig 4, where “Bill Peters” phone number and address are shown on user interface, therefore had to have been registered);

b. registering technician information relating to at least one technician having electronics-technician abilities relating to providing such on-location electronics troubleshooting services (Fig 3, list of technicians names had to be registered in database);

c. maintaining a database, on at least one Internet website client server, of such customer information relating to such at least one customer (Fig 1, 110 is the database where information on customer is stored and Fig 4 ‘410 shows the representation of information);

d. maintaining a database, on such at least one Internet website client server, of such technician information relating to such at least one technician (Fig 3 and Fig 1, 110);

f) receiving, on such at least one Internet website client server, requests relating to such on-location electronics troubleshooting services from such at least one customer (Morris, C6, 60 - "requests service"; AND C2, 24-30; AND Fig 1);

g) notifying automatically, using such at least one Internet website client server, such at least one technician to provide such on-location electronics troubleshooting services requested by such at least one customer (C2, 24-30; AND C11, 50-55);

h) receiving on-location electronics troubleshooting service information, on at least one Internet website client server, from such at least one technician (C12, 55-65); and

i) maintaining a database, on such at least one Internet website client server, of such on-location electronics troubleshooting service information (C12, 10-20).

Morris teaches all of the above. Further Morris teaches at C6, 5-10, contracts can be entered into the computer system; AND at C6, 45-65; teaches known to “establish terms for service in advance" and also at C11, 35-36; that there "is a billing arrangement".

Perhaps, Morris fails to explicitly teach all of the possible “billing arrangements” or what the terms established in advance would be to

"(e.) collecting automatically, using such at least one Internet website client server, at least one fee from such at least one customer relating to such on-location electronics troubleshooting services”.

However Springer teaches a system utilized in the field of on location services; at paragraph [0030] that internet provided “user interface can facilitate the registration of a new customer with [] the service” and teaches “collecting automatically, using an internet website client server, at least one fee from customers relating to an on location service”, by stating that “instructions 408 can also automatically send debit and credit information to financial institution 402”.

Springer services offered included repetitive services including inspection and services on a monthly basis. Thus, Springer teaches that one of ordinary skill in the art of e-commerce would know that automatic billing of a financial instrument is old and well established in the business of e-commerce as a convenient way for a consumer to charge a repetitive customer; ie, a service contract. It would have been obvious to one having ordinary skill in the art at the time of the invention to have included the step of automatic billing in Morris by including that type of Springer software because the skilled artisan would have recognized that this business practice streamlines the process and saves time spent by a service provider in charging customers for service provided and is clearly applicable to the charging of any type of service. Further Springer gives more motivation to include this type of payment by stating at Paragraph [0023] that "payment authorization advantageously provides authorization from the customer for ongoing, automatic debits to a customer financial instrument in payment for pest control services. This advantageously helps the service provider to avoid collections problems for services rendered.

5. With respect to **claim 2**: Morris teaches wherein such at least one customer and such at least one technician are sufficiently co-located within geographical areas to provide appropriate response times (C14, 48-55).

6. With respect to **claim 3** wherein such step of receiving on-location electronics troubleshooting service information by such at least one technician comprises the steps of: a) receiving start time of such on-location electronics

troubleshooting service, on such at least one Internet website client server, from selected such at least one technician (Fig 3 AND Fig 8b, total time);b) receiving end time of such on-location electronics troubleshooting services, on such at least one Internet website client server, from selected such at least one technician (Fig 8b total time); c) storing such start time of such on-location electronics troubleshooting service on such at least one Internet website client server (C21, 5-40); and d) storing such end time of such on-location electronics troubleshooting service on such at least one Internet website client server (Fig 1, 110).

7. With respect to **claim 4** further comprising the steps of: a) receiving indication of any need relating to repair service, on such at least one Internet website client server, from such selected at least one technician (C2, 20-30); b) receiving indication of selected type of such repair service, on such at least one Internet website client server, from such selected at least one technician (Fig 4 and 5); c) storing such indication of any need relating to repair service on such at least one Internet website client server (Fig 4 and Fig 5); d) storing such selected type of such repair service, on such at least one Internet website client server (Fig 4 and Fig 5); e) selecting such at least one repair service of such selected type of repair service (Fig 4 and Fig 5); and f) notifying such selected at least one repair service to contact such at least one customer (Fig 4 and Fig 5).

8. With respect to **claim 5** further comprising a) receiving customer satisfaction evaluation from such selected at least one technician (Morris; C13, 25-30 reviewed by

customer; OR Springer [0033] – "customer feedback"); and b) storing such customer satisfaction evaluation (Morris; Fig 1, 110; OR Springer [0033] – "customer feedback").

9. With respect to **claim 6** wherein such step of collecting automatically, using such at least one Internet website client server, at least one fee from such at least one customer relating to such on-location electronics troubleshooting services comprises the steps of: a) agreeing to at least one payment of a specified amount by such at least one customer (C13, 20-40 AND see Springer '203); and b) receiving such at least one payment (C11, 22-40 and [0021]).

10. With respect to **claim 7** wherein such step of receiving such at least one payment comprises the steps of;

a) providing of credit card account information by such at least one customer (Springer Fig 3, '313);

b) storing such at least one credit card account information, on at least one Internet website client server, relating to such at least one customer (Springer Fig 4, 401 connected to customer 404 through network 405);

c) authorizing at least one charge to such credit card account of such at least one customer (Springer [0023] "payment authorization");

d) storing such authorization of at least one charge to such credit card account, on at least one Internet website client server, of such at least one customer (Springer [0028] and Fig 4);

e) requesting at least one payment from such at least one credit card account on behalf of such at least one customer (Springer Fig 4, '403 through network '405 to TPCH/financial institution '402); and

f) recording such at least one payment, on at least one Internet website client server, on behalf of such at least one customer (Springer [0030] stored in pest control service database).

11. With respect to **claim 8** wherein such step of requesting at least one payment from such at least one credit card account on behalf of such at least one customer comprises the step of requesting such at least one payment from such at least one credit card account on behalf of such at least one customer substantially automatically at pre-determined intervals (Springer, bottom of paragraph [0030]).

12. With respect to **claim 9** wherein such step of requesting at least one payment from such at least one credit card account on behalf of such at least one customer comprises the step of requesting such at least one payment from such at least one credit card account on behalf of such at least one customer at completion of on-location electronics troubleshooting services by such at least one technician (Springer, Fig 1, 103).

13. With respect to **claim I0** further comprising the steps of: a) notifying such at least one customer requesting such on-location electronics troubleshooting services of estimated time of arrival of notified such at least one technician (Fig 4 and C19, 43-55); and b) providing such on-location electronics troubleshooting services to such at least one customer (C19, 43-55).

14. With respect to **claim 11** wherein such step of notifying such at least one customer requesting such on-location electronics troubleshooting services of estimated time of arrival of notified such at least one technician comprises the steps of: a) providing to such at least one customer such estimated time of arrival by such notified such at least one technician (Fig 4 and C19, 43-55); and b) recording such estimated time of arrival provided by such notified such at least one technician (C19, 43-55).

15. With respect to **claim 12** further comprising the steps of: a) providing such on-location electronics troubleshooting services to such at least one customer at any time of day (Fig 2); and b) providing such on-location electronics troubleshooting services to such at least one customer on any day (Fig 2).

16. With respect to **claim 13** wherein such step of registering customer information relating to at least one customer further comprises the steps of:

a) recruiting such at least one customer (Springer Fig 6, advertisement of services);

b) obtaining agreement from such at least one customer to pay for such on-location electronics troubleshooting services (Springer, Fig 3 “agreement” and [0033] can be administered over website AND [0030] ”user interface can facilitate agreement”);

c) recording such customer information, on at least one Internet website client server, relating to such at least one customer (Springer [0028] and Fig 4);

d) wherein such customer information comprises i) service location address (Springer Fig 3, Premise address); ii) at least one contact name (Springer, Fig 3); iii) at least one contact telephone number (Springer Fig 3); and

e) assigning such service location address to at least one geographic dispatch area (Springer [0032]; where the website is used to recruit new customer appropriate franchisee/geographic dispatch would be assigned the customer based on service location address).

17. With respect to **claim 14** wherein such customer information further comprises:

a) customer name (Springer Fig 3);

b) customer billing address (Springer Fig 3);

c) customer email address (Springer Fig 3);

d) customer credit card number (Springer Fig 3); and

e) customer credit card number expiration date (Springer Fig 3).

18. With respect to **claim 15** further comprising the steps of:

a) providing on-location assistance relating to implementation of such on-site customer interface module of such Internet-website-client-server-assisted system to such at least one customer (this is interpreted as providing web assistance; See Springer [0033]; and

b) providing on-location usage training relating to such on-site customer interface module of such Internet- website-client-server-assisted system to such at least one customer (Springer [0033] “helpful tips”, “online chat”, “frequently asked questions” all available on customer user interface).

19. With respect to **claim 16** wherein such step of registering technician information relating to at least one technician having electronics-technician abilities relating to providing such on-location electronics troubleshooting services comprises the steps of:

a) establishing a plurality of qualification criteria

relating to selecting such at least one technician (C115-15 and 40-60); b) wherein such qualification criteria comprise i geographic location of residence of such at least one technician (C115-15 and 40-60), and ii) required minimum competency levels relating to electronics-technician abilities (C115-15 and 40-60); and c) recruiting such at least one technician (C115-15 and 40-60); and

d) recording technician information, on at least one Internet website client server, relating to selected such at least one technician (C115-15 and 40-60); e wherein such technician information comprises i) technician name, ii) technician home address, iii) technician home telephone number, iv) technician email address, and v) technician electronics-technician skills (Fig 2—3 and C115-15 and 40-60); f) selecting such at least one technicians using such plurality of qualification criteria (Fig 2—3 and C115-15 and 40-60); g) assigning such selected at least one technician a unique identification number (Fig 2—3 and C115-15 and 40-60); h) assigning such technician home address to at least one geographic dispatch area (Fig 2—3 and C115-15 and 40-60); and i) implementing at least one technician user interface module of such Internet-website-client-server-assisted system (Fig 2—3 and C115-15 and 40-60).

20. With respect to **claim 17** wherein such technician information further comprises: a) technician cellular phone number; and b) technician pager number (Fig 2—3 and C115-15 and 40-60).

21. With respect to **claim 19** wherein such step of notifying automatically, using such at least one Internet website client server, such at least one technician to provide such on-location electronics troubleshooting services requested by such at least one

customer comprises the steps of: a) selecting such at least one technician using dispatch selection criteria (Fig 3 and C11 –C12); b) wherein such dispatch selection criteria comprises i) identifying at least one of such at least one technician assigned to such same geographic dispatch area as such service location of such at least one customer requesting on-location electronics troubleshooting services (Fig 3 and C11 – C12), and ii) identifying at least one such technician having greatest elapsed time since such last notification (Fig 3 and C11 –C12); and c) notifying such at least one technician to provide such on-location electronics troubleshooting services requested by such at least one customer (Fig 3 and C11 –C12); and d) recording time of such notification, on such at least one Internet website client server, of such at least one technician (Fig 3 and C11 –C12).

22. With respect to **claim 20** further comprising the steps of:

a) receiving at least one work shift start request (Fig 3 and C11 –C12), on such at least one Internet website client server, from such at least one technician; b) storing time of day and date of receipt of such work shift start request, on such at least one Internet website client server, from such at least one technician (Fig 3 and C11 –C12); c) sending confirmation of start of work shift to such at least one technician; d) receiving at least one end of work shift request, on such at least one Internet website client server, from such at least one technician (Fig 3 and C11 –C12); e) storing time of day and date of receipt of such at least one end of work shift request, on such at least one Internet website client server, from such at least one technician(Fig 3 and C11 –C12); and f)

sending confirmation of end of work shift to such at least one technician (Fig 3 and C11 –C12).

23. With respect to **claim 21** further comprising the step of presenting planned shift scheduling to such at least one technician (C11 –C12).

24. With respect to **claim 22** further comprising the steps of: a) preparing text-based reports; and b) preparing graphical reports (C20, 35-45 "work order report").

25. Claims **23 – 28 and 30- 32** being the system for carrying out the above method steps and having nearly identical claim limitations is rejected based upon the same analysis.

26. **Claims 18 and 29** are rejected under 35 U.S.C. 103(a) as being unpatentable over Morris and Springer in further view of Official Notice.

Morris and Springer teaches all of the above limitations as mapped above.

Further Morris teaches :

a) inputting of login identification information, on such at least one Internet website client server, from such at least one customer (at C7, 5-15, "logging onto the service center system"); and

c) receiving confirmation of accuracy, on such at least one Internet website client server, of such customer information (C8, 15-25; updates);

It fails to explicitly that when the customer visits the website:

b) *validating* login identification information from such at least one customer;

The examiner takes Official Notice that inputting a login information when visiting a service provider's site over the Internet is old and well established in the business of e-commerce as a convenient way for a consumer to pay for purchased items or services. It would have been obvious to one having ordinary skill in the art at the time of the invention to have included in the step of logging in by a password, to validate it, and information sent over the Internet because the skilled artisan would have recognized that this business practice/security measure makes certain information on the server available to particular/specific users and is clearly applicable to the sale of any type of product. These advantages are well known to those skilled in the art.

(10) Response to Argument

27. In reply to: bottom of p. 17; Applicants assertion that - "Also with respect to Claim 1, Morris does not disclose nor suggest, inter alia, "notifying automatically, using such at least one Internet website client server, such at least one technician to provide such on-location electronics troubleshooting services requested by such at least one customer."'

Examiner respectfully disagrees because Morris teaches at :

C2, 60-68; that - "The *selection* of technician may be *handled* by either the field service organization or the service center system."; AND at

C4, 29-35; that - "...*information* may be *sent* between these parties *automatically*. This allows *technicians to be more effectively*

deployed and service operations to be more accurately performed and managed. In this way, both field service customers, and field service organizations benefit."; AND at

C10, 25-34 that - "Similarly, as soon as the *service center system* has *updated information* for the technician system, such as a new work order, *it should be loaded onto the technician system without a need for the technician to instruct the system to find new assignments for him*. In this way, *the automated communications between these systems eliminates the complications, additional steps, and potential failures of communication due to requiring the technician to explicitly instruct his system to contact the service center system*.";

AND further/lastly Morris teaches at

C11, 50-55 – "In *one mode of operation*, work ***orders are dispatched to technicians by the service center system directly*** on behalf of the office. In an alternate mode of operation, dispatching of work orders may be handled by the office. In either case, the operation to take place is similar: the open work order is matched up with a currently available technician to perform that work. Once a technician is chosen for that work order, the information on the work order is sent to the

technician system for access by the technician. ***This information is automatically loaded onto the remote system corresponding to the appropriate technicians and the technician is alerted to the presence of a new work order***.".

All of the above clearly teach the argued limitation; "notifying automatically, using such at least one Internet website client server, such at least one technician to provide such on-location electronics troubleshooting services requested by such at least one customer.", see above.

28. In reply to: bottom of p. 18; Applicants asserts that –

"Appellant's specification at page 54, lines 12-16 states, "Preferably, technician dispatch is automatically performed using an algorithm which considers the time of the last dispatch for each technician 304 assigned to a work cell and dispatches the technician 304 with the longest time since the last dispatch."

This is moot because Applicant has failed to claim. Further Examiner does not concede that Morris fails to teach this limitation, and has addressed properly where/if claimed above.

29. Also on the same note : at first full paragraph on top of p. 19; Applicant Asserts –

"At least one clear advantage of Appellant's ***automatic notification feature is the ability to notify troubleshooting jobs without use of human staff members*** who may impart favoritism into dispatch selection. In Appellant's system, a human dispatcher is not needed to operate the notification as Morris teaches. Consequently, Morris does not disclose or suggest Appellant's claimed invention."

This is moot because Applicant has failed to ever limit the “automatic" limitation to explicitly require no human involvement. Further Examiner does not concede that Morris fails to teach this limitation, In fact Examiner has addressed and cited properly where claimed and in arguments #27 directly above; that Morris too can be without human/automatic.

Also note: Applicant’s definition of “automatic” as found on p. 9 of original filed specification is as follows:

P. 9, first paragraph, “…automatically dispatching technicians, **with little or** no human involvement…”

30. In reply to: bottom of p. 19; Applicants assertion in re claim 2 that –

“Additionally, Appellant's Claim 2 adds the limitation "wherein such at least one customer and such at least one technician are sufficiently co-located within geographical areas to provide appropriate response times".

With respect to the assertion that “wherein such at least one customer and such at least one technician are sufficiently co-located within geographical areas to provide appropriate response times" is not taught.

Examiner respectfully disagrees because Morris teaches specifically at C14, 53-58;

“…if the **technician system is located 30 miles from the job site**, a map which is zoomed out to a large scale may be the most appropriate display for leading the technician to the job site. Conversely, when the **technician system is located within a mile**

of the job site, a map of smaller scale showing individual streets may be displayed to guide the technician directly to the proper address.".

Therefore; as shown above Morris teaches wherein at least one customer/"job site" and technician/"technician system" **are sufficiently located within a geographical area to provide appropriate response time**.

The fact that it also provides a map showing such is irrelevant.

31. Also With respect to Applicants Remarks bottom of p. 19; that –

Appellant's specification at page 58, lines 18-21 states, "[P]referably a technician 304 is selected from the technicians 304 assigned to the work cell in which the customer 303 is located and is preferably dispatched by on-location services management software running on the Web Server 101." In other words, Appellant's system is designed so that technicians are assigned in the same geographic area as the customer."

First note that the underlined above is not claimed so it is moot; however Examiner takes time to cite a few guiding specifics addressing the matter, combined with the GPS Location tech system locators taught above that location is used as a factor in Morris "dispatch" process.

Throughout Morris it is taught:

"In modes where the *service center system performs* the *dispatching function*, the service center system sends the work order to the **appropriate technician** system as soon as an appropriate technician is identified."

And also states specifically at C13, 40-45; that

"Note that once the technician has activated his system, there is no need for him to directly request any form of communication between the remote system and the service center system. All communications will occur automatically…"

32. In reply to: bottom of p. 21 bridging p. 22; claim 3; Applicants assertion that – Morris fails to ever teach "job completion trends". This is moot because Applicant fails to ever claim.

33. In reply to: p. 23 bridging 24; claim 4; Applicants assertion that –

"Morris does not disclose that the system permits a technician to select at least one repair service of such selected type of repair service."

Examiner respectfully disagrees because Morris teaches at cites provide and at Fig 7b.

34. In reply to: bottom of p. 25; claim 25; claim 5; Applicants assertion that –

"Appellant respectfully submits that the combination of Morris and Springer does not teach or suggest each and every element of Appellant's claim 5 such that a prima facie case of obviousness has not been established… and that Springer fails to rectify the deficiencies of Morris.

AND
[] Appellant's Claim 5 recites "receiving a customer satisfaction evaluation from such selected at least one technician; and storing such customer satisfaction evaluation".

AND
[] With respect to Springer, **Appellant respectfully submits that Springer is silent with respect to a customer satisfaction evaluation**.

Since this feature is apparently missing in Morris and Springer, Appellant respectfully submits that the **Examiner has not established a prima facie case of obviousness with respect to Claim 5.**

Examiner respectfully disagrees because Morris teaches at : that the customer signs when satisfied. The goals of the form are irrelevant. Further, Springer, already combined wit Morris, teaches explicitly such a form; at **Springer [0033] – "customer feedback"** form.

35. In reply to: bottom of p. 2; claims 6-9; Applicants assertion that – the combination fails to teach a system that "enables a customer to agree to at least one payment of a specified amount…";

Examiner respectfully disagrees and Applicant is advised to see above and Springer [0021] –

"The method of payment for each servicing (e.g., a credit card charge for each service visit, which can be implemented without having to obtain the customer's authorization for each charge)."

36. In reply to: bottom of p. 26 bridging 27 to p. 28; Applicants assertion that – the combination fails to teach notifying customer of expected arrival time; claims 10 and 11;

Examiner respectfully disagrees because Springer teaches at :

"[0033] – Pest control server 401 can include e-mail server software and send **e-mail reminders to customers about upcoming**

service calls, and send pest control information such as helpful tips“

AND at [0018

Special instructions 304 can include acceptable times during the day at which to provide service; special conditions at the customer premise and any special treatment that is appropriate;

Examiner respectfully disagrees because Morris teaches at :

C2, 35-40; “The information is provided back to the service center where it may be used to calculate the billing appropriate to the job being performed, or to keep the customer informed of the status of the technician's work.”

And “

A "STATUS" button 430 is also located at the upper right of the screen as shown in FIG. 4. This button is available in all screens of the technician system and allows the technician to enter his current status by checking off the appropriate box on a pop-up form. When clicked or touched, the "STATUS" button causes a box to pop up which lists the available states for the technician: available, in route, at job site, off duty, getting signature, and such other states as may be useful to the office.“

37. In reply to: bottom of p. 28 to middle of p. 42; with respect to Applicants remaining assertions – are essentially repeats of the arguments above.

Essentially that "automatic notification of technician is not taught"; Examiner has shown that it is. Therefore, Examiner respectfully disagrees, with remaining arguments for the same analysis as above or as cited in the 103 rejections above.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Matthew L. Brooks/

Patent Examiner, GAU 3629

5/7/2010

Conferees:

David Rines

/R. David Rines/

Primary Examiner, Art Unit 3623

John G. Weiss

/JOHN G. WEISS/

Supervisory Patent Examiner, Art Unit 3629